

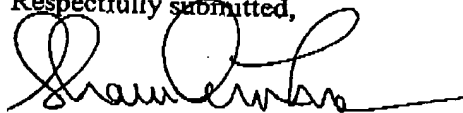
In re: Engbrecht et al.  
Serial No.: 10/826,564  
Filed: April 16, 2004  
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### REMARKS

In response to the Restriction Requirement of October 28, 2005, Applicants hereby elect Group II, corresponding to Claims 1-21, drawn to a method of forming an amorphous boron carbo-nitride layer. Applicants have canceled Claims 22-28 (Group I), drawn to a device including an amorphous boron carbo-nitride layer. This cancellation is made without prejudice to the filing of a divisional application for these claims. Additionally, this election is made without traverse.

In view of the foregoing, Applicants respectfully request favorable examination and allowance of Claims 1-21.

Respectfully submitted,

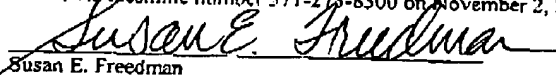


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### CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office via facsimile number 571-273-8300 on November 2, 2005.



Susan E. Freedman

Date of Signature: November 2, 2005